



## CITY OF PHILADELPHIA

**POLICE DEPARTMENT**  
HEADQUARTERS, FRANKLIN SQUARE  
PHILADELPHIA, PENNSYLVANIA 19106

**RICHARD J. ROSS JR.**  
Commissioner

November 21, 2018

Mr. Brendan O'Connor  
63733-62199606@requests.muckrock.com

RE: Pennsylvania Right-To-Know Act (RTKA) Request

Dear Mr. O'Connor:

Your Pennsylvania Right-To-Know Act request dated 11-12-18 was received by this office on 11-14-18 for:

*Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:*

1. All correspondence, including emails, text messages, and private social media messages, between Officer Buddy Zielinski (badge number 9396) and Zach Rehl. Email addresses for Rehl include the following: zrehl618@gmail.com; zrehl@yahoo.com; zrehl618@aol.com. Please restrict your search to records generated between January 1, 2018 and the date this request is processed.

On 11-21-18, correspondence was sent to you acknowledging receipt of your request and also stated that the City asserted its right to (up to) an additional 30 days to:

- a. to ascertain if the requested record does exist,
- b. for legal review to determine whether the record(s) is a record(s) subject to access under the Act,
- c. to determine if the request requires the redaction of a public record(s), and
- d. for bona fide staffing limitations (in retrieving and reviewing the record(s) requested).

After processing your request, the Philadelphia Police Department's ("PPD") determination is as follows:

Your request *cannot be granted* pursuant to that the PPD does not have any information or records responsive to your request in its possession, under its custody or within its control. It is not a denial of access under the Act if the records requested do not exist. *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009)."

Furthermore, your request for "*text messages, and private social media messages*" is also **denied** pursuant to Section 705 of the Right-to-Know Act, in which when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format, or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009).

This response will serve to close this particular request for information with our office as permitted by law. Thank you for contacting the Philadelphia Police Department's Open Records Office.

**FOR THE POLICE COMMISSIONER**

Sincerely,

A handwritten signature in black ink that reads "Lt. Barry Jacobs #97". The signature is written in a cursive, flowing style.

Lieutenant Barry Jacobs  
Open Records Officer  
Philadelphia Police Department  
750 Race Street, Room 203  
Philadelphia, PA 19106  
FAX: 215-686-1183  
Email: [police.righttoknow@phila.gov](mailto:police.righttoknow@phila.gov)